UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS

Amended

CONSTITUTION AND BY-LAWS OF THE OGLALA SIOUX TRIBE OF THE PINE RIDGE RESERVATION

SOUTH DAKOTA

APPROVED JANUARY 15, 1936

Amendments 1-4
Approved 12-24-69

UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1951

CONSTITUTION AND BYLAWS OF THE OGLALA SIOUX TRIBE OF THE PINE RIDGE RESERVATION OF SOUTH DAKOTA

PREAMBLE

We, the Oglala Sioux Tribe of the Pine Ridge Indian Reservation, in order to establish a more perfect organization, promote the general welfare, conserve and develop our lands and resources, secure to ourselves and our posterity the power to exercise certain rights of home rule not inconsistent with Federal laws and our treaties, and in recognition of God Almighty and His Divine Providence, do ordain and establish this constitution for the Oglala Sioux Tribe.

ARTICLE I—TERRITORY

The jurisdiction of the Oglala Sioux Tribe of Indians shall extend to the territory within the original confines of the Pine Ridge Indian Reservation boundaries, as defined by the act of March 2, 1889 (25 Stat. L. 888), and to such other lands as may be hereafter added thereto under any law of the United States except as may be otherwise provided by law for unrestricted lands.

ARTICLE II—MEMBERSHIP

SECTION 1.—The membership of the Oglala Sioux Tribe shall consist as follows:

(a) All persons whose names appear on the official census roll of the Oglala Sioux Tribe of the Pine Ridge Reservation as of April 1, 1935, provided, that correction may be made in the said rolls within five years from the adoption and approval of this constitution by the tribal council subject to the approval of the Secretary of Interior.

(b) All children born to any member of the tribe who is a resident of the reservation at the time of the birth of said children.

SEC. 2. The tribal council shall propose bylaws covering future membership and the adoption of new members.

ARTICLE III—GOVERNING BODY

SECTION 1. The governing body of the tribe under this constitution shall be a council which shall be composed of councilmen chosen by secret ballot by qualified voters of the tribe, which council shall hereafter be known as "The Oglala Sioux Tribal Council."

SEC. 2. Each community of the reservation as follows, shall be entitled to representation on the tribal council according to population as hereinafter provided:

Oglala community: Comprized of present White Clay Farm District.

Wakpamni community: Comprized of present Wakpamni Farm District.

Wounded Knee community: Comprized of present Wounded Knee Farm District.

Porcupine community: Comprized of present Porcupine Farm District.

Medicine Root Creek community: Comprized of present Medicine Root Farm District.

Eagle Nest community: Comprized of present Eagle Nest Farm District.

Pass Creek community: Comprized of that portion of the present Pass Creek Farm District lying north of the boundary line between Townships 37 and 38 north.

Lacreek community: Comprized of that portion of the present Pass Creek Farm District lying south of the above boundary line.

SEC. 3. The tribal council shall have authority to make changes in the foregoing list according to future community needs, subject to the approval of the Secretary of the Interior.

Changed by Amendment II Approved 12-24-65

SEC. 4. Each recognized community shall elect representatives to the tribal council in the proportion of one representative for each 300 members, or a remainder of more than 150: *Provided*, That each recognized community shall be entitled to at least one representative.

SEC. 5. Prior to the first election of the tribal council the membership of each community shall be determined by the superintendent and a committee, consisting of one delegate from each community herein designated. Thereafter the membership of the various communities shall be determined by the communities, subject to review by the tribal council.

SEC. 6. The officers of the tribal council shall be a president and a vice president, elected by the members of the Oglala Sioux Tribe, at large, and a secretary, a treasurer, and such other officers as may be deemed necessary, elected by the tribal council from within or outside of its own number. Officers selected from outside the membership of the council shall have no vote in the council, except that the president shall vote in case of a tie.

SEC. 7. The first election of the tribal council hereunder shall be called and supervised by the Secretary of the Interior, or such persons as he may appoint.

SEC. 8. Members of the tribal council shall be elected for a term of two years.

SEC. 9. Elections to the tribal council, after the first election, shall be called by the tribal council at least sixty days prior to the expiration of office of its members.

SEC. 10. The Oglala Sioux Tribal Council shall be the sole judge of the constitutional qualifications of its own members.

ARTICLE IV—POWERS OF THE COUNCIL

SECTION 1. *Enumerated powers.*—The Oglala Sioux Tribal Council shall exercise the following powers, subject to any limitations imposed by the statutes or the Constitution of the United States and subject further to all express restrictions upon such powers contained in this constitution and the attached bylaws.

(a) To negotiate with the Federal, State, and local governments, on behalf of the tribe, and to advise and consult with the representatives of the Interior Department on all activities of the Department that may affect the Pine Ridge Reservation.

(b) To employ legal counsel for the protection and advancement of the rights of the Oglala Sioux Tribe and its members, the choice of counsel and fixing of fees to be subject to the approval of the Secretary of the Interior.

(c) To approve or veto any sale, disposition, lease, or encumbrance of tribal lands, interests in lands, or other tribal assets which may be authorized or executed by the Secretary of the Interior, the Commissioner of Indian Affairs, or any other authorized official or agency of government, provided that no tribal lands shall ever be leased for a period exceeding five years, sold, or encumbered except for governmental purposes.

(d) To advise the Secretary of the Interior with regard to all appropriation estimates or Federal projects for the benefit of the Pine Ridge Reservation prior to the submission of such estimates to the Bureau of the Budget and to Congress.

(e) To make assignments of tribal land to members of the Oglala Sioux Tribe in conformity with article X of this constitution.

(f) To manage all economic affairs and enterprises of the Oglala Sioux Tribe in accordance with the terms of a charter that may be issued to the tribe by the Secretary of the Interior.

(g) To appropriate for public purposes of the tribe any available tribal council funds, and subject to review by the Secretary of the Interior, any other available tribal funds.

(h) To levy taxes upon members of the Oglala Sioux Tribe and to require the performance of community labor in lieu thereof, and to

levy taxes or license fees, subject to review by the Secretary of the Interior, upon nonmembers doing business within the reservation.

(i) To exclude from the restricted lands of the Pine Ridge Reservation persons not legally entitled to reside therein, under ordinances which shall be subject to review by the Secretary of the Interior.

(j) To enact resolutions or ordinances not inconsistent with article II of this constitution concerning membership in the Oglala Sioux Tribe.

(k) To promulgate and enforce ordinances, which shall be subject to review by the Secretary of the Interior, governing the conduct of members of the Oglala Sioux Tribe, and providing for the maintenance of law and order and the administration of justice by establishing a reservation court and defining its duties and powers.

(l) To purchase, under condemnation proceedings in courts of competent jurisdiction, land, or other property needed for public purposes, subject to the approval of the Secretary of the Interior.

(m) To protect and preserve the property, wild life, and natural resources—gases, oils, and other minerals, etc.—of the tribe, and to regulate the conduct of trade and the use and disposition of property upon the reservation, provided that any ordinance directly affecting nonmembers of the tribe shall be subject to review by the Secretary of the Interior.

(n) To cultivate native arts, crafts, and culture, to administer charity and to protect the health and general welfare of the tribe.

(o) To charter subordinate organizations for economic purposes and to regulate the activities of associations thus chartered by the tribal council, or any other associations of members of the tribe, which are indebted to the tribe.

(p) To regulate the inheritance of property, real and personal, other than allotted lands, within the territory of the Pine Ridge Reservation, subject to review by the Secretary of the Interior.

(q) To regulate the domestic relations of members of the tribe.

(r) To provide for the appointment of guardians for minors and mental incompetents by ordinance or resolution subject to review by the Secretary of the Interior.

(s) To adopt resolutions regulating the procedure of the council itself and of other tribal agencies and tribal officials of the reservation.

(t) To delegate to subordinate boards or officers or to cooperative associations which are open to all members of the tribe any of the foregoing powers, reserving the right to review any action taken by virtue of such delegated power.

SEC. 2. *Future powers.*—The council of the Oglala Sioux Tribe may exercise such further powers as may in the future be delegated to

the council by members of the tribe or by the Secretary of the Interior, or any other duly authorized official or agency of the State or Federal Government.

SEC. 3. *Reserved powers.*—Any rights and powers heretofore vested in the Oglala Sioux Tribe, but not expressly referred to in this constitution, shall not be abridged by this article, but may be exercised by the people of the Oglala Sioux Tribe through the adoption of appropriate bylaws and constitutional amendments.

SEC. 4. *Manner of review.*—Any resolution or ordinance which by the terms of this constitution, is subject to review by the Secretary of the Interior, shall be presented to the superintendent of the reservation, who shall, within ten days thereafter, approve or disapprove the same.

If the superintendent shall approve any ordinance or resolution, it shall thereupon become effective, but the superintendent shall transmit a copy of the same, bearing his endorsement, to the Secretary of the Interior, who may, within 90 days from the date of enactment, rescind the said ordinance or resolution for any cause, by notifying the tribal council of such decision.

If the superintendent shall refuse to approve any ordinance or resolution submitted to him, within ten days after its enactment, he shall advise the Oglala Sioux Council of his reasons therefor. If these reasons appear to the council insufficient, it may, by a majority vote, refer the ordinance or resolution to the Secretary of the Interior, who may, within 90 days from the date of its enactment approve the same in writing, whereupon the said ordinance or resolution shall become effective.

ARTICLE V—JUDICIAL POWERS

SECTION 1. The judicial powers of the Oglala Sioux Tribe shall be vested in a court or courts which the tribal council may ordain or establish.

SEC. 2. The judicial power shall extend to all cases involving only members of the Oglala Sioux Tribe, arising under the constitution and by-laws or ordinances of the tribe, and to other cases in which all parties consent to jurisdiction.

ARTICLE VI—COMMUNITY ORGANIZATION

Each community established under this constitution shall elect, annually, a president and such other officers as may be advisable. The president shall call and preside over councils of the community whenever necessary for the consideration of matters of local interest. The various communities may consult with representatives of

the Interior Department on all matters of local interest and make recommendations thereon to the tribal council or the superintendent or Commissioner of Indian Affairs, may undertake and manage local enterprises in furtherance of the purposes set forth in the preamble to this constitution, may levy assessments upon members of the community, may expend moneys in the community treasury for the benefit of the community, may keep a roll of those members of the tribe affiliated with the community, and may exercise such further powers as may be delegated to communities by the tribal council. The actions of the community councils shall not be inconsistent with the constitution and by-laws, and ordinance of the tribe.

Article VII—Elections

Section 1. All members of the tribe, 21 years or over, who have resided on the reservation for a period of one year immediately prior to any election shall have the right to vote.

Sec. 2. The time, place and manner of nomination and election of councilmen and any other elective officers of the council shall be determined by the tribal council by appropriate ordinances.

Article VIII—Removal of Officers

Section 1. Any member or officer of the tribal council who is convicted of a felony or any other offense involving dishonesty shall forfeit his office.

Sec. 2. Any officer of the council or any councilman shall be subject to recall from office under due process of law for cause. Any complaint against any officer of the council or any councilman must be in writing and sworn to by the complainant. No person is to be impeached except by a two-thirds (⅔) vote of the council after the accused has had due notice of the charges against him and an opportunity to be heard in his own defense.

Article IX—Referendum

Section 1. Upon a petition by at least one-third (⅓) of the eligible voters of the Oglala Sioux Tribe, or upon the request of a majority of the members of the tribal council, any enacted or proposed ordinance or resolution of the council shall be submitted to popular referendum, and the vote of a majority of the qualified voters voting in such referendum shall be conclusive and binding on the tribal council.

Article X—Land

Section 1. *Allotted lands.*—Allotted lands including heirship lands, within the Pine Ridge Reservation shall continue to be held as heretofore by their present owners. It is recognized that under existing law such lands may be inherited by the heirs of the present owner, whether or not they are members of the Oglala Sioux Tribe. Likewise it is recognized that under existing law the Secretary of the Interior may, at his discretion, remove restrictions upon such land, upon application by the Indian owner, whereupon the land will become subject to State taxes and may be mortgaged or sold. The right of the individual Indian to hold or to part with his land, as under existing law, shall not be abrogated by anything contained in this constitution, but the owner of restricted land may, with the approval of the Secretary of the Interior, voluntarily convey his land to the Oglala Sioux Tribe either in exchange for a money payment or in exchange for an assignment covering the same land or other land, as hereinafter provided.

Sec. 2. *Tribal lands.*—The unallotted lands of the Pine Ridge Reservation and all lands which may hereafter be acquired by the Oglala Sioux Tribe or by the United States in trust for the Oglala Sioux Tribe, shall be held as tribal lands, and no part of such land shall be mortgaged or sold. Tribal lands shall not be allotted to individual Indians but may be assigned to members of the Oglala Sioux Tribe, or leased, or otherwise used by the tribe, as hereinafter provided.

Sec. 3. *Leasing of tribal lands.*—Tribal lands may be leased by the tribal council, with the approval of the Secretary of the Interior, for such periods of time as are permitted by law.

In the leasing of tribal lands preference shall be given, first, to Indian communities or cooperative associations, and, secondly, to individual Indians who are members of the Oglala Sioux Tribe. No lease of tribal land to a non-member shall be made by the tribal council unless it shall appear that no Indian community or cooperative association or individual member of the tribe is able and willing to use the land and to pay a reasonable fee for such use.

Grazing permits covering tribal land may be issued by the tribal council, with the approval of the Secretary of the Interior, in the same manner and upon the same terms as leases.

Sec. 4. *Grant of standard assignments.*—In any assignment of tribal lands which are now owned by the tribe or which may be hereafter purchased for the tribe by the United States, or purchased

by the tribe out of tribal funds, preference shall be given, first, to heads of families which are entirely landless, and, secondly, to heads of families which have no allotted lands or interests in allotted lands but shall have already received assignments consisting of less than 20 acres of agricultural land, or other land or interests in land of equal value.

No allotted member of the tribe who may hereafter have the restrictions upon his land removed and whose land may thereafter be alienated shall be entitled to receive an assignment of land as a landless Indian.

The tribal council may, if it sees fit, charge a fee of $10 on approval of an assignment made under this section.

Assignments made under this section shall be for the primary purpose of establishing homes for landless Indians and shall be known as standard assignments.

SEC. 5. *Tenure of standard assignments.*—If any member of the tribe holding a standard assignment of land shall, for a period of two years, fail to use the land so assigned or shall use such land for any unlawful purpose his assignment may be canceled by the tribal council after due notice and an opportunity to be heard and the said land may be reassigned in accordance with the provisions of section 4 of this article.

Upon the death of any Indian holding a standard assignment, his heirs or other individuals designated by him, by will, or written request, shall have a preference in the reassignment of the land, provided such persons are members of the Oglala Sioux Tribe who would be eligible to receive a standard assignment.

SEC. 6. *Grant of exchange assignments.*—Any member of the tribe who owns an allotment or any share of heirship land or patent in fee land may voluntarily transfer his interest in such land to the tribe in exchange for an assignment to the same land or other land of equal value. If the assignee, prefers, he may receive, in lieu of a specific tract of land, a proportionate share in a larger grazing unit.

SEC. 7. *Leasing of exchange assignments.*—Exchange assignments may be used by the assignee or leased by him to Indian cooperative associations, to individual members of the tribe, or, if no individual Indian or Indian cooperative association is able and willing to rent the land at a reasonable fee, such assignments may be leased to non-Indians, in the same manner as allotted lands.

SEC. 8. *Inheritance of exchange assignments.*—Upon the death of the holder of any exchange assignment, such land shall be reassigned by the tribal council to his heirs or devisees, subject to the following conditions:

(a) Such lands may not be reassigned to any heir or devisee who is not a member of the Oglala Sioux Tribe, except that a life assignment may be made to the surviving widower, widow, or child of the holder of an assignment.

(b) Such lands may not be reassigned to any heir or devisee who already holds more than 1,280 acres of grazing land, or other land or interests in land of equal value, either under allotment or under assignment.

(c) Such lands may not be subdivided among heirs or devisees into units too small for convenient management. No area of grazing land shall be subdivided into units small than 160 acres, and no area of agricultural land shall be subdivided into units smaller than two and one-half acres, except that land used for buildings or other improvements may be divided to suit the convenience of the parties. Where it is impossible to divide the land properly among the eligible heirs or devisees, the Tribal Council shall issue to such heirs or devisees grazing permits or other interests in tribal lands of the same value as the assignment of the decedent.

(d) If there are no eligible heirs or devisees of the decedent, the land shall be eligible for reassignment in accordance with the provisions of section 4 of this article.

SEC. 9. *Inheritance of improvements.*—Improvements of any character made upon assigned lands may be bequeathed to and inherited by members of the Oglala Sioux Tribe under such regulations as the tribal council shall provide. No permanent improvements shall be removed without the consent of the council.

SEC. 10. *Exchange of assignments.*—Assignments may be exchanged between members of the Oglala Sioux Tribe by common consent in such manner as the tribal council shall designate.

SEC. 11. *Use of unassigned tribal land.*—Tribal land which is not leased or assigned, including tribal timber reserves, shall be managed by the tribal council for the benefit of the members of the entire tribe, and any cash income derived from such land shall accrue to the benefit of the tribe as a whole.

SEC. 12. *Purchase of land by tribe.*—Tribal funds may be used, with the consent of the Secretary of the Interior to acquire land under the following conditions:

(a) Land within the Pine Ridge Reservation or adjacent to the boundaries thereof which is not now in Indian ownership may be purchased by or for the Oglala Sioux Tribe.

(b) Land owned by any member of the tribe who desires to leave the reservation permanently may be purchased by the tribe, under such terms as may be agreed upon.

SEC. 13. *Method of making assignments.*—Applications for assignments shall be filed with the secretary of the council and shall be in writing, setting forth the name of the person or persons applying for the land and as accurate a description of the land desired as the circumstances will permit. Notices of all applications received by the secretary shall be posted by him in the agency office and in at least three conspicuous places in the district in which the land is located for not less than 20 days before action is taken by the council. Any member of the tribe wishing to oppose the granting of an assignment shall do so in writing, setting forth his objections to be filed with the secretary of the council, and may, if he so desires, appear before the council to present evidence. The secretary of the council shall furnish the superintendent or other officer in charge of the agency a complete record of all action taken by the council on applications for assignment of land and a complete record of assignments shall be kept in the agency office and shall be open for inspection by members of the tribe.

ARTICLE XI—AMENDMENTS

This constitution and bylaws may be amended by a majority vote of the qualified voters of the tribe voting at an election called for the purpose by the Secretary of the Interior, provided that at least thirty (30) percent of those entitled to vote shall vote in such election; but no amendment shall become effective until it shall have been approved by the Secretary of the Interior. It shall be the duty of the Secretary of the Interior to call an election on any proposed amendment, at the request of two-thirds (⅔) of the council, or upon presentation of a petition signed by one-third (⅓) of the qualified voters, members of the tribe.

BYLAWS OF THE OGLALA SIOUX TRIBE OF THE PINE RIDGE RESERVATION OF SOUTH DAKOTA

ARTICLE I—DUTIES OF OFFICERS

SECTION 1. It shall be the duty of the president to preside over all meetings of the Oglala Sioux Tribal Council and to carry out all orders of the council, unless prevented by just causes. All members of the council, within their respective districts, and all subordinate officers shall assist the president in all proper ways to carry out the orders of the council.

SEC. 2. The vice president shall perform the duties and execute the powers of the president in the absence of the president and shall assume the presidency in the event of a vacancy in the office.

SEC. 3. The council secretary shall keep a full report of all proceedings of each regular and special meeting of the tribal council and shall perform such other duties of like nature as the council shall from time to time by resolution provide, and shall transmit copies of the minutes of each meeting to the president of the council, to the superintendent of the reservation, to the Commissioner of Indian Affairs, and to all recognized communities of the reservation.

SEC. 4. The council treasurer shall be the custodian of all moneys which come under the jurisdiction or control of the Oglala Sioux Tribal Council. He shall pay out money in accordance with the orders and resolutions of the council. He shall keep accounts of all receipts and disbursements and shall make written reports of same to the tribal council at each regular and special meeting. He shall be bonded in such an amount as the council by resolution shall provide, and such bond to be approved by the Commissioner of Indian Affairs. The books of the council treasurer shall be subject to inspection or audit by the direction of the council or the Commissioner of Indian Affairs.

Amendment No. 3, approved 12-24-69 No longer the case

SEC. 5. There shall be an executive committee, which shall consist of the president, the secretary, and treasurer of the council, the superintendent of the agency, and a fifth member selected by the council. This committee shall act on behalf of the council at such times as the council is not in session and shall have charge of all routine matters which shall arise during such recess, including the administration of the land provisions of this constitution, and such other matters as may be delegated to it by the council. The committee shall make a report at each regular and special session of the council.

SEC. 6. The subordinate officers of the Oglala Sioux Tribal Council shall perform such duties as the council may by resolution from time to time provide.

SEC. 7. It shall be the duty of the tribal council and each member thereof to promote the general welfare of the Sioux of this reservation and to carry out the provisions and purposes of this constitution and by-laws.

ARTICLE II—QUALIFICATIONS OF OFFICERS

SECTION 1. Any person elected as councilman must be a member of the Oglala Sioux Tribe and must be at least 25 years of age at the time of the election.

SEC. 2. No member of the council shall vote in any matter in which he may have an interest by reason of employment in the Federal service or by any private organization.

Article III—Oaths of Office

Section 1. Each member of the tribal council and each officer elected or appointed hereunder, shall take an oath of office prior to assuming the duties thereof; by which oath he shall pledge himself to support and defend the Constitution of the United States and this constitution and by-laws.

(Oath) I, _____, do solemnly swear that I will support and defend the Constitution of the United States against all enemies; carry out faithfully and impartially the duties of my office to the best of my ability; promote and protect the best interests of my tribe, the Oglala Sioux, in accordance with this constitution and by-laws.

Article IV—Salaries

Section 1. The salaries of the councilmen or other officers of the Oglala Sioux Tribe may be paid out of available funds of the tribe in accordance with ordinances duly enacted, provided that no council shall enact any ordinance increasing the salaries of councilmen during the existing term of office.

Sec. 2. No compensation shall be paid to any councilman, president, vice president, secretary, treasurer, tribal counsel, or any officer out of the tribal funds under the control of the Federal Government, except upon a resolution stating the amount of compensation and the nature of services approved by the Secretary of the Interior.

Changed by Amendment Approved 12-2-69

Article V—Meetings and Procedure

Section 1. Regular meetings of the council shall be four in each year, to be held during January, April, July, and October, on such days of such months as the council by resolution shall provide.

Sec. 2. Two-thirds (⅔) of the duly elected members must be present to constitute a quorum.

Sec. 3. Special meetings may be called by ~~request of~~ the president, ~~or of a majority of the councilmen, in writing~~, and when so called, two-thirds (⅔) of ~~and~~ the council~~men~~ must be present to constitute a quorum, and the council shall have the power to transact business as in regular meetings.

Sec. 4. The order of business in any regular or special meeting of the council shall be as follows:

1. Council called to order for session.
2. Prayer by authorized person in behalf of council.
3. Opening address to council by presiding officer or authorized member.

Changed by Amendment Approved 12-2-69

4. Roll call—quorum.
5. Reading and acceptance of minutes of previous meeting.
6. Reports of standing committees.
7. Report of council treasurer.
8. Report of special committees.
9. Report of executive committee.
10. Reading of communications and reports.
11. Impeachment trials.
12. Installation of new officers.
13. Unfinished business.
14. New business.
15. Appointment of committees.
16. Adjournment.

Article VI—National Sioux Council

Section 1. The tribal council may appoint delegates to represent the Oglala Sioux Tribe in national Sioux councils.

Article VII—Adoption of Constitution and Bylaws

Section 1. This constitution and the attached bylaws when approved by a majority of the adult voters of the Oglala Sioux Tribe voting in a special election called by the Secretary of the Interior in which at least thirty (30) percent of the eligible voters vote, shall be submitted to the Secretary of the Interior for approval and shall be effective from the date of such approval.

Certification of Adoption

Pursuant to an order, approved December 11, 1935, by the Secretary of the Interior, the attached constitution and bylaws was submitted for ratification to the members of the Oglala Sioux Tribe of Indians of the Pine Ridge Reservation and was on December 14, 1935, duly approved by a vote of 1,348 for, and 1,041 against, in an election in which over 30 percent of those entitled to vote cast their ballots, in accordance with section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended by the act of June 15, 1935 (Pub., No. 147, 74th Cong.).

William Fire Thunder,
Chairman of Election Board.
William Pugh,
Secretary of Election Board.

James H. McGregor,
Superintendent in Charge of Reservation.

I, Harold L. Ickes, the Secretary of the Interior of the United States of America, by virtue of the authority granted me by the act of June 18, 1934 (48 Stat. 984), as amended, do hereby approve the attached constitution and bylaws of the Ogiala Sioux Tribe of the Pine Ridge Reservation.

All rules and regulations heretofore promulgated by the Interior Department or by the Office of Indian Affairs, so far as they may be incompatible with any of the provisions of the said constitution and bylaws are hereby declared inapplicable to these Indians.

All officers and employees of the Interior Department are ordered to abide by the provisions of the said constitution and bylaws.

Approval recommended January 7, 1936.

JOHN COLLIER,
Commissioner of Indian Affairs.

HAROLD L. ICKES,
Secretary of the Interior.
[SEAL]

WASHINGTON, D. C., *January 15, 1936.*

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Amendments
Constitution and Bylaws
of the
Oglala Sioux Tribe
of the
Pine Ridge Reservation
South Dakota

Amendment No. 1

Article III, Section 4, Governing Body, shall be amended in its entirety to read as follows:

> Section 4. Each recognized community shall elect representatives to the tribal council in the proportion of one representative for each 500 members, or a remainder of more than 250. Recognized communities with less than 250 members shall be consolidated by the tribal council with an adjacent recognized community.

Amendment No. 2

Article IV, Section 1 of the bylaws, Salaries, shall be amended in its entirety to read as follows:

> Section 1. The salaries and expense payments of the councilmen and other officers of the Oglala Sioux Tribe may be paid out of available funds of the tribe in accordance with ordinances duly enacted, provided that no council shall enact any ordinance increasing the salaries or per diem expense payments of councilmen during the existing term of office.

Amendment No. 3

Article I, Section 5 of the bylaws, Duties of Officers, shall be amended in its entirety to read as follows:

> Section 5. There shall be an executive committee, which shall consist of the president, the secretary, and treasurer of the council, the vice president, and a fifth member selected by the council. This committee shall act on behalf of the council at such times as the council is not in session and shall have charge of all

routine matters which shall arise during such recess, including the administration of the land provisions of this constitution, and such other matters as may be delegated to it by the council. The committee shall make a report at each regular and special session of the council.

Amendment No. 4

Article V, Section 3 of the bylaws, Meetings and Procedures, shall be amended in its entirety to read as follows:

Section 3. Special meetings may be called by the president and when so called, two-thirds (2/3) of the council must be present to constitute a quorum, and the council shall have power to transact business as in regular meetings.

CERTIFICATE OF RESULTS OF ELECTION

Pursuant to an election authorized by the Commissioner of Indian Affairs on October 1, 1969, under delegated authority, the attached, Amendments I, II, III and IV to the Constitution and Bylaws of the Oglala Sioux Tribe of Pine Ridge Reservation, South Dakota, were submitted to the qualified voters of the tribe and was on December 4, 1969, duly adopted by a vote of 783 for, and 411 against Amendment I; 728 for, and 458 against Amendment II; 633 for, and 556 against Amendment III; and 658 for, and 524 against Amendment IV, in an election in which at least thirty percent of the 3,104 members entitled to vote cast their ballots in accordance with Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended by the Act of June 15, 1935 (49 Stat. 378).

Chairman, Election Board

Election Board Member

Election Board Member

APPROVAL

I, HARRISON LOESCH, Assistant Secretary of the Interior of the United States of America, by virtue of the authority granted to me by the Act of June 18, 1934 (48 Stat. 984), as amended, do hereby approve the attached Amendments I, II, III, and IV to the Constitution and Bylaws of the Oglala Sioux Tribe of the Pine Ridge Reservation, South Dakota.

Approval Recommended:

A. O. ALLEN

Acting Commissioner of Indian Affairs

Harrison Loesch
Assistant Secretary of the Interior

Washington, D. C.

Date: December 24, 1969